Single Bench

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION.NO. 3717 OF 2004

BETWEEN

Smt. Vidhya Gajbhiye W/o Shri Dilip Gajbhiye, , aged about 34 years, Occup. A.N.M., posted at Sub Primary Health Centre, Ghirgholi, Samudayik Swasthya Kendra Chhuikhadan,Disttrict Rajnandgaon (C.G.)

P.R.No. 5719/04
Presented by Shri Sanjay Tiwari
dated 22/12/04

PETITIONER

AND

1- The State of Chhattisgarh,
Through the Secretary Department of Health and Family Welfare
Chhattisgarh, D.K.S. Building, Raipur (C.G.)

2- The Director,
Health Services, Chhattisgarh,
Raipur (C.G.)

3- The Chief Medical and Health Officer,
Rajnandgaon, District Rajnandgaon (CG)

4. The District Maleria Officer, Rajnandgaon (CG)

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Clerk to A. G. Bilaspur

RESPONDENTS

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONER**
As stated in the cause title above.

(24)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3717/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	25-11-2004 Shri Sameer Behar, counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Vinod Shrivastava, Govt. Advocate for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the husband of the petitioner is also working as Pharmacist in the respondent department. He also submits that the petitioner has submitted a representation dated 23-9-2004 (Annexure-P/5) before the respondent authorities but the same has not yet been considered. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising her grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such	

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3717/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.4146/2004 also stands disposed of.

Sd/-
Fakhruddin
Judge

Gowri

GLPRJ—FS/78 — 9/2000 —50,000.